IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

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BEAUMONT CHAPTER OF THE NAACP and JESSICA DAYE,

Plaintiffs,

v.

JEFFERSON COUNTY, TEXAS,
JEFFERSON COUNTY COMMISSIONERS
COURT, LAURIE LEISTER, in her official
capacity as the JEFFERSON COUNTY
CLERK, and MARY BETH BOWLING, in
her official capacity as PRESIDING
ELECTION JUDGE in JEFFERSON
COUNTY,

Defendants.

CIVIL ACTION NO. 1:22-CV-00488-MJT JUDGE MICHAEL J. TRUNCALE

ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Before the Court is Plaintiffs' Emergency Motion for Temporary Restraining Order. [Dkt. 3]. Plaintiffs filed this Motion on November 7, 2022, the night before the November 8, 2022, general election. The Court conducted an expedited hearing on this Motion on November 7, 2022. In entering its order, the Court emphasizes that it does not make a finding of fact as to the allegations alleged in Plaintiffs' Motion. As ordered by the Court during the hearing, it is hereby **ORDERED** that Plaintiffs' Emergency Motion for Temporary Restraining Order [Dkt. 3] is **GRANTED** in part and **DENIED** in part as follows:

The Court **DENIES** Plaintiffs' request to prohibit Mary Bowling from appearing, or serving as the presiding election judge or in any capacity as an election worker, at the John Paul

Davis Community Center on Election Day, November 8, 2022, as moot. The Court also **DENIES** Plaintiffs' request to prohibit Mary Bowling from appearing, or serving as the presiding election judge or in any capacity as an election worker, at any voting center or polling location in Jefferson County on Election Day, November 8, 2022.

The Court **GRANTS** Plaintiffs' request to prohibit all election judges, clerks, workers, volunteers, or watchers at the John Paul Davis Community Center from requesting or ordering any voters to publicly recite their addresses before allowing them to vote.

The Court **GRANTS** Plaintiffs' request to prohibit all election judges, clerks, workers, volunteers, or watchers at the John Paul Davis Community Center from positioning themselves near voters who are marking their ballots such that they can view voters' selections with two exceptions: (1) an election worker or volunteer may assist any voter who requests assistance; and (2) election watchers may position themselves as permitted by Texas Election Code Section 33.057.

The Court **GRANTS** Plaintiffs' request to prohibit all election judges, clerks, workers, volunteers, or watchers at the John Paul Davis Community Center from refusing to assist any voters in inserting or scanning their completed ballot into the appropriate voting machine.

The Court **GRANTS** Plaintiffs' request to prohibit all election judges, clerks, workers, volunteers, or watchers at the John Paul Davis Community Center from turning away voters who are duly eligible to vote.

It is further **ORDERED** that due to the public interest in this matter no bond shall be required.

It is further **ORDERED** that the Court's order is limited to John Paul Davis Community Center, Beaumont, Texas.

It is further **ORDERD** that the County Clerk Laurie Leister to send notice of this order to all affected election judges, clerks, workers, volunteers, and watchers, and to fully implement this order, no later than **7:00 a.m. Central Time on November 8, 2022**.

It is further **ORDERED** that the Court's order shall terminate on **November 9, 2022**.

SIGNED this 7th day of November, 2022.

Michael J. Truncale

United States District Judge